IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

vs.

(1) ANDREW RAYMOND Criminal No. 5:15-CR-081 (NAM)
(2) BRIAN REQUENA,

Defendants.

ORDER

The Government moves to adjourn the trial with consent of defense counsel (Dkt. No. 103). The Court has considered its obligation under 18 U .S.C. § 3161(h)(7)(A) to determine whether a continuance serves the ends of justice in a manner that outweighs both the public interest and the defendants' rights. The Court finds that pursuant to 18 U.S.C. § 3161(h)(7)(A), the ends of justice served by granting the requested continuance outweigh the best interests of the public and the defendants in a speedy trial. Therefore, the Court grants the Government's unopposed request (Dkt. No. 103). Further, Defense counsel has moved to file further pretrial motions, in this case (Dkt. No. 101). The Government does not oppose the request. Therefore, the Court grants defense counsel's request in accordance with this order and Local Rule 12.1 of Criminal Procedures.

Accordingly, it is ordered:

1. That a period from **December 13, 2016**, to and including the **March 1, 2017,** shall be excludable in computing time under the Speedy Trial Act pursuant to 18 U.S.C. § 3161 (h)(7)(A) and (h)(7)(B)(ii) in order to give the parties the reasonable time

necessary for effective preparation for trial after the decision by the Second Circuit in the *Zhang* Appeal, filing of additional pretrial motions, and to review the voluminous discovery documents.

2. Any pretrial motion(s) in this case shall be filed on or before **November 30, 2016.** The motion(s) will be on submission. Each attorney may file a motion on behalf of the defendant he represents. The Court will not permit joinder of pretrial motion(s) in this action. Each attorney may file a single motion setting forth all relief requested as one motion with one (1) memorandum of law not to exceed 25 pages. The Government shall respond to any pretrial motion(s) three (3) weeks after the filing of any motion by either defense counsel. No reply is permitted by defense counsel without prior permission.

3. Any change of plea shall be entered on or before **February 13, 2017**.

4. The Jury Trial will commence on **March 1, 2017 at 9:00 a.m.,** before Senior United States District Judge Norman A. Mordue in Syracuse, New York. All pretrial papers are due on or before **February 15, 2017.** The trial date is a FIRM date and the Court will not consider any further adjournments without good cause shown.

IT IS SO ORDERED.

Date: October 26, 2016

Norman A. Mordue
Senior U.S. District Judge